

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

JAN 14 2009

STACEY PRICE BROWN

Plaintiff,

Vs.

BENEFICIAL FINANCE

Defendant

JAMES N. HATTEN, CLERK
By: *J. Hatten* Deputy Clerk

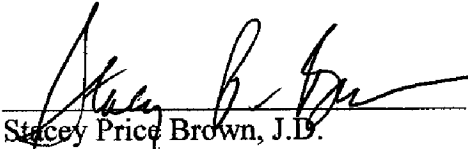
Docket No.

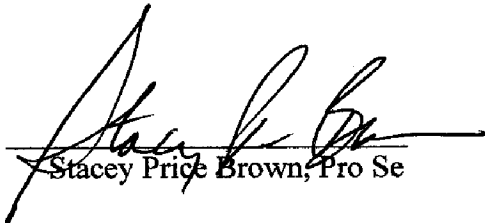
1 09-MI-0025

COMPLAINT

1. Plaintiff has been in a contractual relationship with Beneficial Finance since 2001 for various purposes; furniture purchase, personal loan, and credit card.
2. Plaintiff maintained a checking account at Wachovia Bank, in Morrow, Georgia, where payments had been made to the Defendant, Beneficial Finance by check and or via on-line banking.
3. On or about September 30, 2008, when Plaintiff failed to make scheduled payment on the account, defendant, Beneficial Finance, created a check in the amount of one hundred seventy dollars, used the routing number of the new checking account, signed the Plaintiff's name to said instrument and fraudulently withdrew said funds from the Morrow branch of the Wachovia Bank, in Georgia in violation of US Code Title 18 Part I Chapter 63 Section 1643.

4. Plaintiff learned of Defendant's act of forgery on or about October 6, 2008 and filed an Affidavit of Forgery on even date and immediately closed her checking account.
5. Wachovia immediately issued a refund of the funds withdrawn from Plaintiff's account together with the overdraft fees.
6. It is clear from the facts that the Defendant, Beneficial Finance, used Wachovia Bank to defraud, by wire transfer, and by fraudulent pretenses, utilizing falsified writings to gain payment that was clearly not authorized by the Plaintiff.
7. 18 U.S. C. Section 1343 provides that if such violation affects a financial institution then such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.
8. I pray that the court enhance the sentence against the Defendant Beneficial Finance as provided by the statute.


Stacey Price Brown, J.D.
Petitioner
1024 Cone Road
Forest Park, Georgia 30297
404 362-1211

By: 
Stacey Price Brown, Pro Se

Date: 1-13-09

ONLINE IMAGE**Account Number: 1010214836868****Check Number****3008****Amount****\$170.00****Date Posted****10/01/2008**

THIS CHECK IS VOID WITHOUT A MICRO BACKGROUND AND AN OFFICIAL WATERMARK CERTIFICATION SEAL ON THE BACK - HOLD AT ANGLE TO VIEW SEAL.

STACEY PRICE BROWN**Date: 09/30/2008**1024 cone rd
FOREST PARK, GA 30297**Check #. 3008****Pay to the
order of: Beneficial Finance****Amount****\$170.00****One Hundred Seventy and 00/100****Dollars**WACHOVIA BANK, NA
SAVANNAH, GA**Memo: 321715006453356 15 01008220 - 256**321715006453356
as authorized signatory for
STACEY PRICE BROWN

07 8220-256

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑆06⑆1000227⑆10⑆10214836868⑆ 3008⑆0000017000⑆

BANK OF AMERICA NA LAC
10/01/08 10:41:08
4560555003FBI LOCKPORT
SCHUMER IL 093008
227197001101288220 CA**How To Save This Image****PC users****Internet Explorer:**

Right-click on the check image, and choose "Save Picture As..."

Others:

Right-click on the check image, and choose "Save Image As..."

MAC users**Internet Explorer:**

Click & hold on the check image, and choose "Download Image to Disk."

WACHOVIA

Affidavit of Forgery, Unauthorized Draft or Altered Item

I, Stacey Price Brown residing at 1024 Cone Road
 in the City of Forest Park County of Clayton
 and the State/Commonwealth of Georgia

have examined the following check/withdrawal/draft:

Account Number 1010214836868 Account Name Stacey Price Brown
 Check # 3008 Dated 10/1/2008 Amount: \$ \$205.00

And hereby state the following:

☒ **FORGED SIGNATURE/UNAUTHORIZED DRAFT:** That I am the authorized signer of said check/withdrawal/draft and I never signed nor authorized any person to sign my name or debit my account on said check/withdrawal/draft. The signature/authorization appearing thereon was made without my knowledge or consent. I never received any of the proceeds thereof or benefited in any way directly or indirectly from the proceeds.

☐ **COUNTERFEIT ITEM:** That I am the authorized signer of said check/withdrawal/draft and I never signed nor authorized any person to sign my name on said check/withdrawal/draft. The signature appearing thereon was made without my knowledge or consent. I never received any of the proceeds thereof or benefited in any way directly or indirectly from the proceeds.

☐ **ALTERATION:** That the _____ (Amount/Date/Payee) on the item has been altered
 from _____ to _____

☒ **FORGED ENDORSEMENT:** That I am the person named as the payee of said check/withdrawal/draft and I never signed nor authorized any person to sign my name on said check/withdrawal/draft. The signature appearing thereon was made without my knowledge or consent. I never received any of the proceeds thereof or benefited in any way directly or indirectly from the proceeds.

☐ **MISSING/IMPROPER ENDORSEMENT:** That I am the person named as the payee of said check/withdrawal/draft and I never received any of the proceeds thereof or benefited in any way directly or indirectly from the proceeds.

I offer the following explanation concerning the negotiation of this instrument. (if none state 'none').

\$170.00 + 35.00 00 Fee \$205.00

I agree to assist Wachovia Bank, National Association and appropriate law enforcement authorities in any investigation and if needed, be a witness in any hearing, proceeding or action brought against the person(s) responsible for the forgery. I have accurately and fully reported to the Bank all the information, knowledge, or facts that I possess concerning the forgery and should anything else concerning the forgery come to my attention, I will immediately report same to the Bank.

This affidavit is made voluntarily and for the purpose of establishing the claim of forgery.

Stacey Price Brown
 Claimant (title if business account)

404 362-1211 678 837 1326
 Home Phone Business Phone

10/6/2008
 Date

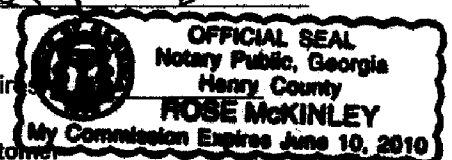
Identification: GA D/L 047232668

Sworn to and subscribed before me this 6th

day of October, 2008

[Signature]
 Notary Public

My Commission Expires



1525 West W.T. Harris Boulevard
Charlotte, NC 28288



WACHOVIA

October 7, 2008

Stacey Brown
1024 Cone Road
Forest Park, GA 30297

Dear Stacey Brown:

Enclosed, you will find Wachovia's Customer Fraud Assistance Information Package.

This package includes five key components:

- **Bank Fraud – How to Minimize Your Risk**
A quick reference guide of tips designed to help you minimize future fraud risk.
- **Bank Fraud – What to do if You're a Victim**
A list of general guidelines provided to assist you in understanding the steps you may take to help protect your personal and financial interests.
- **Identity Theft - What to do if Your Identity is Stolen**
A resource guide you may use if your personal identification has been used in a fraudulent scheme.
- **Customer Activity Log**
A form you may use to maintain a written chronology of your fraud claim.

We hope you find these materials helpful in managing your personal and account information by minimizing your risk and exposure. Should you have any questions, please contact the Wachovia Loss Management Department at 1-888-647-3648 or the nearest financial center and refer to Case Number: 14436423

Thank you for your business and we look forward to serving your financial needs.

Wachovia
Loss Management Department